

# **Exhibit 1**

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March 6, 2007

**VIA EMAIL AND FEDERAL EXPRESS**

Beth E. Goldman, Esq.  
Sarah S. Normand, Esq.  
Assistant United States Attorneys  
Southern District of New York  
U.S. Department of Justice  
86 Chambers Street  
New York, New York 10007

Re: Request for Testimony of  
Current and Former Government Employees  
In re September 11 Litigation  
C & F Ref: DTB/CRC/VAT/28507

Dear Counsel:

As you know, I am Aviation Defendants' Liaison counsel in the personal injury and property damage litigations arising out of the September 11, 2001 terrorist attacks, which are consolidated before Judge Hellerstein in the United States District Court for the Southern District of New York. *See In re September 11 Litig.*, 21 MC 97 (AKH) and *In re September 11 Property Damage and Bus. Loss Litig.*, 21 MC 101 (AKH) (collectively, "the September 11 Litigations").

I write in connection to a recent telephone conversation between Ms. Normand and my colleague, Maura K. Monaghan of the law firm of Debevoise & Plimpton LLP. During their conversation, Ms. Monaghan indicated that a supplemental list of additional current and former government employees that the Aviation Defendants would like to question would be forthcoming shortly.

Consistent with the conversation between Ms. Normand and Ms. Monaghan, we include below a supplemental list of the current and former government employees that Aviation Defendants would like to depose, in addition to those that we have already identified. As discussed with Ms. Normand, we have not issued subpoenas for these witnesses. In accordance with the applicable agency regulations, however, we enclose affidavits setting forth the proposed topics for each of the depositions of these witnesses.

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To date, the additional government witnesses who we have identified are:

- Scott Billings, who is currently a Special Agent with the FBI assigned to the Stillwater, Oklahoma resident agency of the Oklahoma City Division of the FBI. Special Agent Stillwell was formerly assigned to the Joint Terrorist Task Force in Oklahoma City in August and September of 2001. Aviation Defendants make this request pursuant to the regulations contained in 28 C.F.R. § 16.21 *et seq.*
- Erik T. Rigler, who was formerly a Special Agent with the FBI. Aviation Defendants make this request pursuant to the regulations contained in 28 C.F.R. § 16.21 *et seq.*
- Michael Rolince, who was formerly the FBI Section Chief, International Terrorism Operations Section from 1998 to 2002. Aviation Defendants make this request pursuant to the regulations contained in 28 C.F.R. § 16.21 *et seq.*
- Coleen M. Rowley, formerly a Special Agent and Minneapolis Chief Division Counsel with the FBI. Aviation Defendants make this request pursuant to the regulations contained in 28 C.F.R. § 16.21 *et seq.*
- Harry Samit, who is currently a Special Agent with the FBI assigned to the Minneapolis Field Office. In the summer and autumn of 2001, Special Agent Samit was assigned to the Minneapolis Field Office and the Joint Terrorism Task Force. Aviation Defendants make this request pursuant to the regulations contained in 28 C.F.R. § 16.21 *et seq.*
- The witness identified as “John” in *U.S. v. Moussaoui*, Crim. No. 01-455A (LMB) (E.D.Va.). In 2001, John was the Deputy Chief of the Usama Bin Ladin Unit at the CIA and was detailed to the FBI Headquarters in the International Terrorism Operations Section (ITOS). Aviation Defendants make this request pursuant to the regulations contained in 32 C.F.R. § 1905.4.

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- The witness identified as "Mary". Mary was an FBI agent detailed to the Usama Bin Ladin Unit in the Counterterrorism Section (CTC) of the CIA from 1988 through 2001. Aviation Defendants make this request pursuant to the regulations contained in 28 C.F.R. § 16.21 *et seq.*

The Aviation Defendants provide this list in the hope that doing so will help to expedite the response of the relevant government agencies and their counsel to our request. In making this proposal, we in no way relinquish our earlier requests to depose the other current and former government employees that we identified earlier as potential witnesses. We also expect that we will name additional government witnesses in the near future. For instance, as Ms. Monaghan noted when speaking to Ms. Normand, once the Aviation Defendants are able to review materials located in the Reading Room, it is very likely that we will identify additional government witnesses that we would like to depose.

We look forward to your prompt response to this request.

Sincerely yours,



Desmond T. Barry, Jr.

Enclosures

cc: Via Email  
Aviation Defendants' Counsel